

State of California



Fair Political Practices Commission

P.O. BOX 807 • SACRAMENTO, 95804 • • • 1100 K STREET BUILDING, SACRAMENTO, 95814

Technical Assistance • • Administration • • Executive/Legal • • Enforcement
(916) 322-5662 322-5660 322-5901 322-6441

June 10, 1985

Donald E. Burns
Law Offices of Donald E. Burns
3018 Sacramento Street
San Francisco, CA 94115

Re: Our File No. A-85-119

Dear Mr. Burns:

Thank you for your letter of May 15, 1985, which asked about the lobbying disclosure provisions of the Political Reform Act (Gov. Code Sections 81000-91014) with respect to your client, USPA. In response to your specific questions:

1. USPA was correct in filing lobbyist activity authorizations (Form 600-A) for the two registered lobbyists you have retained to assist you in this matter.
2. If the three unrelated corporations (A, B and C) make payments to USPA to assist in paying your firm's fees, each of them will become lobbyist employers and must authorize you and the other two lobbyists and file periodic lobbyist employer reports (Form 650).
3. You and the other two lobbyists will be required to file amended registration statements (Form 630) listing A, B and C as new employers.

In addition, on their quarterly lobbyist employer reports, A, B and C will disclose as if their payments were made directly to your firm and will indicate that their payments were made through USPA. USPA should deduct the amounts it receives from A, B and C when reporting payments to the firm on its employer reports.

During our telephone conversation of May 15, 1985, I indicated that the Commission staff was in the process of developing a procedure for consolidated reporting by affiliated entities or organizations which have common goals or interests which pool

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their funds for purposes of influencing legislative or administrative action. It now appears that the procedure will not be finalized until next year. In addition, because you have indicated that USPA, A, B and C are not affiliated, it is unlikely that they would be able to use the procedure.

I hope the foregoing has been helpful. Please let me know if you have additional questions.

Sincerely,

A handwritten signature in cursive script that reads "Carla Wardlow".

Carla J. Wardlow
Political Reform Consultant

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May 15, 1985

Ms Carla Wardlaw
Fair Political Practices Commission
1100 K Street
Sacramento, California 95814

A-85-119

Dear Ms Wardlaw:

Pursuant to our conversation of this date, I am outlining a question about filing requirements under the Fair Political Practices Act ("the Act").

Facts: I am President and sole employee of Donald E. Burns, A Professional Corporation ("DEBPC"), and am a registered lobbyist under the Act. DEBPC is an employer of a lobbyist under the Act.

USPA has retained the services of DEBPC to advocate their position on proposed legislation. USPA has filed an authorization for DEBPC with the Commission. DEBPC has retained the services of P and K, two registered lobbyists, to assist in this matter. USPA and DEBPC have filed authorizations for both P and K with the Commission.

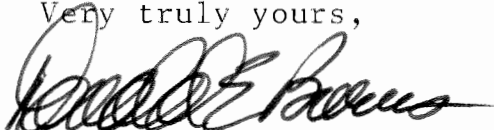
A, B and C, three unrelated corporations, have indicated to USPA a willingness to assist in paying the fees of DEBPC in this effort. No final agreement on amounts has been made, nor have any payments been made to USPA. A, B and C have no agreements with DEBPC, P or K, nor have they made any payments to DEBPC, P or K.

Questions:

- 1) Did USPA have to file authorization for P and K?
- 2) Do A, B and C have to file authorizations for DEBPC, P and K?
- 3) Does DEBPC have to file an amendment to its Lobbyist Registration Form showing A, B and C as new clients?

Please let me know whether I can assist you in coming to conclusions on the foregoing questions.

Very truly yours,


Donald E. Burns